

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of IPC Network)	
Services, Inc., for a Certificate of Service Authority to)	
Provide Interexchange and Nonswitched)	<u>Case No. XA-2006-0223</u>
Local Exchange Telecommunications Services)	Tariff No. YX-2006-0391
within the State of Missouri and for Competitive)	
Classification)	

ORDER GRANTING CERTIFICATE TO PROVIDE NONSWITCHED
LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS
SERVICES AND APPROVING TARIFF

Issue Date: January 3, 2006

Effective Date: January 12, 2006

Syllabus: This order grants IPC Network Services, Inc., a certificate of service authority to provide interexchange and nonswitched local exchange telecommunications services, restricted to providing dedicated private line services, grants competitive status, and approves the company's proposed tariff.

IPC Network Services, Inc., (IPC) applied to the Missouri Public Service Commission on November 23, 2005, for a certificate of service authority to provide interexchange and nonswitched local exchange telecommunications services in Missouri under Sections 392.410, RSMo Supp. 2002, through 392.450, RSMo 2000.¹ IPC asked the Commission to classify it as a competitive company and to waive certain statutes and rules

¹ All statutory references are to the Revised Statutes of Missouri (RSMo), revision of 2001, unless otherwise indicated.

as authorized by Sections 392.361 and 392.420. IPC is a New York corporation with its principal office located at 1 State Street Plaza, New York, NY 10004.

The Commission issued a Notice of Applications on November 29, 2005, and allowed an opportunity to intervene by December 14, 2005. No requests for intervention were filed.

IPC filed a proposed tariff in conjunction with its application with an issue date of November 28, 2005, and revised same by substitute tariff sheets on December 28 and December 30, 2005. The tariff's effective date is January 12, 2006. IPC's tariff describes the rates, rules, and regulations it intends to use, identifies IPC as a competitive company, and lists the waivers requested. IPC intends to provide interexchange and nonswitched local exchange telecommunications throughout the state of Missouri.

In its memorandum filed on December 28, 2005, and supplemental pleading filed December 30, 2005, the Staff of the Commission recommended that the Commission grant IPC a certificate of intrastate interexchange service authority, and a certificate of service authority for local exchange telecommunications services restricted to providing dedicated, private line services. Staff recommended that the Commission grant IPC competitive status, and waiver of the statutes and rules listed in the Notice. Staff recommended that the Commission approve the proposed tariff to become effective on January 12, 2006.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications markets is in the public interest and IPC should be granted certificates of service authority. The Commission finds that the services IPC proposes to offer are competitive and IPC should be classified as a competitive

company. The Commission finds that waiving the statutes and Commission rules set out in the ordered paragraph below is reasonable and not detrimental to the public interest.

The Commission finds that IPC's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange and nonswitched local exchange carriers. The Commission finds that the proposed tariff with an issue date of November 28, 2005, as revised on December 30, 2005, shall be approved to become effective on January 12, 2006.

IT IS THEREFORE ORDERED:

1. That IPC Network Services, Inc., is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri.

2. That IPC Network Services, Inc., is granted a certificate of service authority to provide nonswitched local exchange telecommunications services in the state of Missouri limited to providing dedicated private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. That IPC Network Services, Inc., is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

Statutes

- 392.210.2 - uniform system of accounts
- 392.240.1 - rates-rentals-service & physical connections
- 392.270 - valuation of property (ratemaking)
- 392.280 - depreciation accounts
- 392.290 - issuance of securities
- 392.300.2 - acquisition of stock
- 392.310 - stock and debt issuance
- 392.320 - stock dividend payment
- 392.330 - issuance of securities, debts and notes
- 392.340 - reorganization(s)

Commission Rules

- | | |
|------------------|------------------------------|
| 4 CSR 240-10.020 | - depreciation fund income |
| 4 CSR 240-30.040 | - uniform system of accounts |

4. That the tariff filed by IPC Network Services, Inc., with an issue date of November 28, 2005, as amended on December 30, 2005, under tariff number YX-2006-0391, is approved to become effective on January 12, 2006. The tariff approved is:

Mo. P.S.C. Tariff No. 1

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5. That this order shall become effective on January 12, 2006.
6. That this case may be closed on January 13, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Steven C. Reed, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 3rd day of January, 2006.